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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/524,265	02/11/2005	Ruediger Duwendag	P70224US0	4091

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JACOBSON HOLMAN PLLC
400 SEVENTH STREET N.W.
SUITE 600
WASHINGTON, DC 20004

EXAMINER	
KOCH, GEORGE R	

ART UNIT	PAPER NUMBER
1734	

MAIL DATE	DELIVERY MODE
06/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/524,265	DUWENDAG ET AL	
	Examiner	Art Unit	
	George R. Koch III	1734	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *11/08/2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because it is not a paragraph, and is not a concise statement of the technical disclosure of the patent. It appears to be a reprint of the two independent claims. Correction is required. See MPEP § 608.01(b).

Claim Objections

2. Claims 1-14 are objected to because of the following informalities:

a. "bottomming" appears to be incorrectly spelled.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamada (GB 2,289,941 A).

Yamada discloses an operating station (Figure 1) capable of being used as a bottoming device for cross bottom sacks (substrate 2, see page 8, which discloses that the objects are made

of paper, which sacks can be made of), whereby the bottoming device comprises of a gluing station (item 6, controlled by item 7), in which the gluing format (see Figures 3a-b, 4a-c, 5a-b, 6a-b, and 7a-c), according to which glue to be spread on the components of the sack (substrate 2), is defined by the glue traces (item 3), whose structure is determined through the opening and the closing of the valves (see "ON and OFF" positions on page 6) and whereby the gluing station (item 6) is equipped with a computing unit (glue operation control device 7, glue pattern setting device 9, comparison device 11), with which the selective opening and closing of the valves can be done (see "ON and OFF" operations on page 6), whereby digital target images of the glue traces, which define the gluing format (4, 4a, 4b) are stored in the memory (glue pattern setting device 9) of the computing unit (control structures in Figure 1), characterized in that a display element (monitor display 29), by means of which the glue deposit (item 3) on the sack components (substrate 2) can be displayed.

As to claim 2, Yamada discloses an operating terminal (I/O interface), through which changes can be made in the target images of the gluing traces (by changing the glue pattern stored in device 7 and 9, etc - see page 8 and 9, which is discloses these as being operator controlled).

As to claim 3, Yamada discloses that the operating terminal (Figure 1 and 2) comprises of at least one manual input option--such as a interfaces (glue pattern setting device 9), with which the digitalized data about the glue deposition can be transmitted.

As to claim 4, Yamada discloses that the operating station (Figure 1 and 2) is connected with a sack recognition system, which includes sensory media--such as, for instance, a digital

camera (television camera 8), and recognizes the dimensions of the sack components (item 2), which are to be transported to the gluing station (item 6).

As to claim 5, Yamada discloses that that a computing unit (control structures 7, 9, 10 and 11), with which, from the digital target images, which represent the desired planar gluing format (see Figures 3 through 7), the digital target images of the glue traces can be calculated (see especially the description of Figure 4a-c on pages 10 and 11 which discloses calculating the traces).

As to claim 6, Yamada discloses that that a computing unit (202), with which, based on the data related to the geometrical dimensions of the cross bottom sacks (see pages 12-14, which discloses monitoring the pattern) and/or their later filling, the digital target images of the glue traces can be calculated.

As to claim 7, Yamada discloses that the devices for adjusting the glue deposited (glue pattern setting device 9) per unit area of the sack components can be actuated.

As to claim 8, Yamada discloses that the operating station (control units 7, 9, 10 and 11) is connected with the devices for the measurement of the glue deposit (television camera.8) and that the results of the measurements by the device for the measurement of the glue deposit are displayed on a display element (monitor 29), which is connected with the operating station (see figures 1 and 2).

As to claim 9, Yamada discloses that the operating station (control units 7, 9, 10 and 11) is connected both with the devices for the measurement of the glue deposit (camera 8) as well as with the devices for the adjustment (glue pattern setting device 9) of the glue deposit per unit

area of the sack components, and that it is provided with a computing unit (CPU 25), which monitors and regulates the setting of the glue deposit.

As to claim 10, Yamada discloses a method for the operation of a bottomming device according to the preamble of the claim 1 (see claim 1 above), characterized in that the digital target images (displayed on display 29), which determine the structure of the glue traces, and which are stored, modified or supplemented in the memory (see ROM 23, RAM 24, and image processor 26) of the computing unit (see Figure 2), by transmitting the data to the operating station (Figure 2) through a keyboard and/or digital interfaces (item 22).

As to claim 11, Yamada discloses that the data, which is transmitted, is obtained in the following manner: by means of a device, such as a scanner or a digital camera (television camera 8), which is suitable for the scanning of the gluing profile of the sack component (see discussions in pages 8-14), through the editing of a glue profile with an external marking device, and/or through the editing of a glue profile in the operating station (via glue pattern setting device 9)

As to claim 12, Yamada discloses that that the target images of the glue traces or the gluing formats are shown on a display element (display element 29).

As to claim 13, Yamada discloses that the following characteristic features transmission of the target images of the gluing format to the memory of the computing unit (Figure 2) calculations for conversion of the gluing formats into glue traces possibly with the editing of the target images of the glue traces or of the gluing formats calculation of the opening and closing time points of the different valves (see page 13) in dependence of the gluing speed (see page 8,

which discloses an encoder 5 which ensure that the application is dependent or compensated for the object speed).

As to claim 14, Yamada discloses that the following characteristic features transmission of the target images of the glue traces to the memory of the computing unit (Figure 2) possibly with the editing of the target images of the glue traces (see pages 12-15) or of the gluing formats calculation of the opening and closing time points of the different valves (see page 13, which discloses the glue application controls) in dependence of the gluing speed (see page 8, which discloses an encoder 5 which ensure that the application is dependent or compensated for the object speed).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George R. Koch III whose telephone number is (571) 272-1230 (TDD only). If the applicant cannot make a direct TDD-to-TDD call, the applicant can communicate by calling the Federal Relay Service at 1-866-377-8642 and giving the operator the above TDD number. The examiner can also be reached by E-mail at george.koch@uspto.gov in accordance with MPEP 502.03. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Philip Tucker can be reached on (571) 272-1095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

George R. Koch III
Primary Examiner
Art Unit 1734

GRK
6/25/2007